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ATTORNEYS FOR PLAINTIFFS
Nanya Technology Corp. and
Nanya Technology Corp. U.S.A.

UNITED STATES DISTRICT COURT
DISTRICT OF GUAM

NANYA TECHNOLOGY CORP. and
NANYA TECHNOLOGY CORP. U.S.A.,

Plaintiffs,

v.

FUJITSU LIMITED and FUJITSU
MICROELECTRONICS AMERICA, INC.,

Defendants.

Case No. CV-06-00025

PLAINTIFFS' SECOND SET OF
JURISDICTIONAL REQUESTS FOR
PRODUCTION TO DEFENDANT
FUJITSU LIMITED

TO: Defendant Fujitsu Ltd., by and through its attorneys of record, Rodney J. Jacob and Daniel M. Benjamin, Calvo & Clark, LLP, 655 South Marine Corps Drive, Suite 202, Tamuning, Guam 96913, and Christopher E. Chalsen, Michael M. Murray and Lawrence T. Kass, Milbank Tweed Hadley & McCloy, LLP, 1 Chase Manhattan Plaza, New York, New York 10005

Pursuant to Federal Rules of Civil Procedure 34, Plaintiffs Nanya Technology Corp. and Nanya Technology Corp. U.S.A. ("PLAINTIFFS") request that Defendant Fujitsu Limited ("DEFENDANT" or "Fujitsu") produce and permit Plaintiffs' attorneys to inspect and to copy each of the following

PLAINTIFFS' SECOND SET OF JURISDICTIONAL REQUESTS FOR PRODUCTION TO
DEFENDANT FUJITSU LIMITED

documents belonging to or in the possession of Defendant within thirty (30) days of service of these requests.

These requests shall be deemed to be continuing and any additional information or documents relating in any way to these requests that you acquire subsequent to the date of answering these requests and up to and including the time of trial shall be furnished, promptly after such information or documents are acquired, as supplemental responses to these requests.

DEFINITIONS

1. "Documents" mean the original and any non-identical copy of all "writings," "recordings" and "photographs" as those terms are defined in the FRCP including, but not limited to letters, facsimile communications, electronic mail ("e-mail") communications, telegraphs, cablegrams, telexes, memoranda, notes, records, reports, studies, calendars, diaries, agenda, minutes, books, pamphlets, periodicals, newspaper clippings, graphs, index, charts, tabulations, statistical accumulations, ledgers, financial statements, accounting entries, press releases, contracts, affidavits, transcripts, legal documents, records of meetings and conferences, records of conversations and telephone calls, still photographs, video tapes, motion pictures, tape recordings, microfilm, punch cards, programs, printouts, and the written information necessary to understand and use such films and records.

2. A document "related to" or that "relates to" any given subject means any document that in whole or in part constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is in any way pertinent to that subject, including without limitation, document concerning the preparation of other documents.

3. The pronoun "you" refers to each Defendant and the party answering this Request for Production, their agents and representatives.

1 4. "Plaintiff" and "Plaintiffs" includes Nanya Technology Corp. and Nanya Technology
2 Corp. U.S.A., all its subsidiaries, parents and affiliates, and all officers, directors, employees, agents,
3 and any other person acting on its behalf.

4 5. "Defendant" includes Fujitsu Limited and all its subsidiaries (including but not limited
5 to Fujitsu Microelectronics America, Inc.), parents, and affiliates and all officers, directors, employees,
6 agents, and any other person acting on their behalf.

7 6. "Communication" is any and all means for transmitting information in the form of facts,
8 ideas, inquiries or otherwise.

9 7. "Identify" means to give, to the extent known, the person's full name, present or last
10 known address, and when referring to a natural person, additionally, the present or last known place of
11 employment and employment title. Once a person has been identified in accordance with this
12 definition, only the name of that person need be listed in response to subsequent requests requiring the
13 identification of that person.

14 8. "Person" is defined as any natural person or any business, legal or governmental entity
15 or association.

16 9. "Concerning" means relating to, inferring to, describing, evidencing, or constituting.

17 10. The conjunctions "and" and "or" shall be construed either disjunctively or
18 conjunctively, as necessary to bring within the scope of the request all responses that might otherwise
19 be construed to be outside its scope.

20 11. The terms "infringe", "infringes", "infringed", "infringement", "directly infringes",
21 "contributes to the infringement", and "induces the infringement" are to be understood in accordance
22 with 35 U.S.C. § 271.

12. The terms "ACCUSED DEVICE" or "ACCUSED DEVICES" refer to the following parts or devices:

- (a) Fujitsu "FR" series of 32 bit RISC microcontrollers (including but not limited to part numbers MB91F133A, MB91191R/F191A, MB911912/F192, MB91101A, MB91107, MB91108, MB91121, MB91F127, MB91F128, MB91133, MB91F133, MB91154, MB91F154, MB91155, MB91F155, MB91F158, MB91F362GB, MB91F365GB, MB91F366GA/GB, MB91F367G/GB, MB91F368GB, MB91F369GA, MB91301, MB91305, MB91307B, MB91307R, MB91F312A, MB91F318A, MB91FV319A, MB91352A, MB91353A/F353A, MB91354A, MB91355A, MB91F355A, MB91232L, MB91233L, MB91F233, MB91F233L, MB91263B, MB91F264B, MB91266, MB91F267, MB91F272, MB91F477, MB91F478, MB91401, MB91402, and MB91403);
- (b) Fujitsu "M-2" series, *a.k.a.* "Millennia-2 Mobile," and "SPARClite," *a.k.a.* "MB8683X" series of camera processors (including but not limited to part numbers MB91188, MB91188A, MB91189, MB91392, MB86831, MB86941, MB86942); and
- (c) Fujitsu "MB91360G" Series of 32 bit RISC microcontrollers with CAN interface (including but not limited to part numbers MB91F362GAPFVS, MB91F362GA, MB91F365GB, MB91F366GB, MB91F367GB, MB91F368GB, and MB91F369GA).

13. The terms "similar device" or "similar devices" are defined as any and all devices, products, and tangible things made or designed by Fujitsu using the same or similar structure for any memory component thereof, including but not limited to, microcontrollers, processors, micro control units ("MCUs"), graphic control units, sensors, and integrated circuits.

14. The term "biometric sensors" refers to the models MBF200, SBF200, DKF200, MBF310, and/or MBF320.

15. The term "WiMax" is defined as any device complying with or purporting to comply with the *IEEE 802.16* standard.

16. The term "MEMS" or "Micro-Electro-Mechanical Systems" is defined as a device having an integration of mechanical elements, sensors, actuators, and electronics on a common silicon substrate through microfabrication technology.

18. The term "CAN" or "Controller-Area-Network" refers to network devices that permit the various electronic components in an automobile to communicate with each other using a common framework.

1. Under Rule 34 of the Federal Rules of Civil Procedure, Defendant is required to produce the documents as they are kept in the usual course of business or to organize and label them to correspond with the categories of this request. Accordingly, whenever a document or group of documents is taken out of a file folder, file drawer, file box, or notebook, before the same is produced, Plaintiffs request Defendant to attach thereto a copy of the label on the file folder, file drawer, file box, or notebook from which the document or group of documents was removed. Defendant shall also provide an index of all documents produced.

**PLAINTIFFS' SECOND SET OF JURISDICTIONAL REQUESTS FOR PRODUCTION TO
DEPENDANT FUJITSU LIMITED**

1 3. Reference to the singular includes the plural and reference to the plural includes the
2 singular.

3 4. All claims of privilege and refusal to produce documents based upon any other doctrine
4 (such as the attorney-work product doctrine, etc.) shall be made in conforming with the Guam Rules of
5 Civil Procedure and shall include the following information in your statement of the basis for any
6 document so withheld or redacted:

- 7
- 8 a. the date of the document;
 - 9 b. the number of pages, attachments, and appendices;
 - 10 c. the identity of its author, authors or preparers;
 - 11 d. the identity of each person who was sent, shown, blind, dash or carbon copied
12 on, or had custody of such documents; and
 - 13 e. subject matter of each such document, and in the case of any document relating
14 to or referring to a meeting or conversation, identification of such meeting or conversation.

15 5. If any document or tangible thing requested herein was at one time in existence, but has
16 been lost, discarded or destroyed, or otherwise is no longer available, identify such document or thing
17 as completely as possible, providing as much of the following information as possible:

- 18
- 19 a. the type of document or thing;
 - 20 b. its date;
 - 21 c. the date or approximate date it was lost, discarded, destroyed, or otherwise
22 became no longer available;
 - 23 d. the circumstances and manner in which it was lost, discarded, destroyed, or
24 otherwise became no longer available;
 - 25 e. the reason for, or reasons for, the disposing of the document;
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1 f. the identity of all persons authorizing or having knowledge of the circumstances
2 surrounding the disposal of the document or things;

3 g. the identity of the person(s) who lost, discarded or destroyed the document or
4 thing; and
5

6 h. the identity of all persons having knowledge of the contents thereof.

7 6. Unless otherwise specified herein, this request calls for all documents generated,
8 prepared or received, or that refer to or relate to any events in the period from 1999 up to and including
9 the date of this request.

10 7. To the extent permitted by the Federal Rules of Civil Procedure, these requests shall be
11 deemed continuing so as to require prompt further and supplemental production if you locate or obtain
12 possession, custody or control of additional responsive documents at any time prior to trial.

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14 8. Plaintiffs reserve the right to request additional documents.
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REQUESTS FOR PRODUCTION

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2 1. All documents listing any manufacturer or customer that has purchased a Fujitsu
3 ACCUSED DEVICE or similar device made by Fujitsu or bearing a Fujitsu trademark for use or
4 incorporation in any manufacturer's or customer's products from 1999 to the present.
5

6 2. All documents listing any product made by Fujitsu or other manufacturer or customer
7 that has used or incorporated a Fujitsu ACCUSED DEVICE or similar device made by Fujitsu or other
8 manufacturer or customer from 1999 to the present.

9 3. All documents listing any contract entered into within the last six years between
10 DEFENDANT and any manufacturer or customer involving a Fujitsu ACCUSED DEVICE or similar
11 device made by Fujitsu or other manufacturer or customer.
12

13 4. All documents listing any request made from 1999 to the present by any manufacturer
14 or customer for proposals from DEFENDANT to develop, manufacture, distribute, or otherwise
15 produce products employing any Fujitsu ACCUSED DEVICE or similar device made by Fujitsu or
16 other manufacturer or customer.

17 5. All documents listing any proposal from 1999 to the present by DEFENDANT to
18 develop, manufacture, distribute, or otherwise produce a Fujitsu ACCUSED DEVICE or similar
19 device for any manufacturer or customer.
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21 6. All documents showing any product made by Fujitsu or other manufacturer or customer
22 with embedded RAM, MEMS, WiMax or other ACCUSED DEVICE or similar device made by
23 Fujitsu or bearing a Fujitsu trademark.

24 7. All documents showing any product made by Fujitsu or other manufacturer using a
25 biometric sensor made by Fujitsu or bearing a Fujitsu trademark.

26 8. All documents showing any product using a MEMS device made by Fujitsu or bearing a
27 Fujitsu trademark.
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1 9. All documents showing contracts for sale of any MCUs, biometric sensors, or MEMS
2 devices.

3 10. All documents showing any customers for Fujitsu MCUs, biometric sensors, or MEMS
4 devices.

5 11. All documents showing design wins for any Fujitsu MCU or ACCUSED DEVICE or
6 similar device in any blood glucose measuring device.

7 12. All documents showing design wins for any Fujitsu display controller (whether accused
8 or not) in any automobile.

9 13. All documents showing design wins for Fujitsu FlexRay controllers or devices.

10 (a) All documents showing design wins for "MOST" controllers or devices.

11 (b) All documents showing design wins for "CAN" controllers or devices.

12 14. All documents showing supply of any part from Fujitsu (including subsidiaries) to any
13 manufacturer or customer (including but not limited to automobile manufacturers such as Honda,
14 Hyundai, BMW and any affiliated companies).

15 15. All documents related to any Fujitsu device having embedded RAM.

16 16. All documents identifying any product that incorporates any one or more of the
17 following parts or devices:

18 (a) Fujitsu "FR" series of 32 bit RISC microcontrollers (including but not limited to
19 part numbers MB91F133A, MB91191R/F191A, MB911912/F192, MB91101A,
20 MB91107, MB91108, MB91121, MB91F127, MB91F128, MB91133,
21 MB91F133, MB91154, MB91F154, MB91155, MB91F155, MB91F158,
22 MB91F362GB, MB91F365GB, MB91F366GA/GB, MB91F367G/GB,
23 MB91F368GB, MB91F369GA, MB91301, MB91305, MB91307B, MB91307R,
24 MB91F312A, MB91F318A, MB91FV319A, MB91352A, MB91353A/F353A,
25 MB91354A, MB91355A, MB91F355A, MB91232L, MB91233L, MB91F233,
26 MB91F233L, MB91263B, MB91F264B, MB91266, MB91F267, MB91F272,
27 MB91F477, MB91F478, MB91401, MB91402, and MB91403);

28 (b) Fujitsu "M-2" series, *a.k.a.* "Millennia-2 Mobile," "SPARC," and "SPARCLite,"
a.k.a. "MB8683X" series of camera processors (including but not limited to part

1 numbers MB91188, MB91188A, MB91189, MB91392, MB86831, MB86941,
2 MB86942); and

3 (c) Fujitsu "MB91360G" Series of 32 bit RISC microcontrollers with CAN
4 interface (including but not limited to part numbers MB91F362GAPFVS,
5 MB91F362GA, MB91F365GB, MB91F366GB, MB91F367GB, MB91F368GB,
6 and MB91F369GA).

7 17. All documents concerning the design of and sales of any product, including but not
8 limited to digital cameras, that incorporates Fujitsu ACCUSED DEVICES or similar devices made by
9 Fujitsu or bearing a Fujitsu trademark.

10 18. All communications between Fujitsu and any entity concerning the use of any Fujitsu
11 ACCUSED DEVICES or similar devices made by Fujitsu or bearing a Fujitsu trademark used in any
12 product, including but not limited to digital cameras, from 1999 to the present.

13 19. All documents showing sales of any product containing or employing Fujitsu
14 ACCUSED DEVICES in the United States, including specifically in the territory of Guam.

15 20. All documents showing sales of any product made by Fujitsu or other manufacturer
16 containing or employing Fujitsu ACCUSED DEVICES or similar devices to the Kmart Corporation.

17 21. All documents evidencing incorporation of Fujitsu ACCUSED DEVICES or similar
18 devices in any non-Fujitsu-branded or non-Fujitsu-trademarked product.

19 22. All documents showing shipments, sales, or marketing of products made by or bearing
20 the Fujitsu trademark or trade name to Guam.

21 23. All documents showing sales of any ACCUSED DEVICES or similar devices to cell
22 phone makers.

23 24. All documents showing sales of any ACCUSED DEVICES or similar devices to digital
24 video recorder makers.

25 25. All documents showing sales of any ACCUSED DEVICES or similar devices to digital
26 video camera makers.
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1 26. All documents showing sales of any ACCUSED DEVICES or similar devices to digital
2 video disk player makers.

3 27. All documents showing sales of any ACCUSED DEVICES or similar devices to set top
4 box makers.

5 28. All documents showing sales of any ACCUSED DEVICES or similar devices to printer
6 makers.

7 29. All documents showing sales of any ACCUSED DEVICES or similar devices to
8 network enabled device makers.

9 30. All documents showing sales of any ACCUSED DEVICES or similar devices to makers
10 of in-circuit emulators or development kits.

11 31. All documents showing sales of any ACCUSED DEVICES or similar devices to digital
12 camera makers.

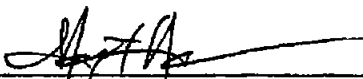
13 32. All documents showing sales of any ACCUSED DEVICES or similar devices to any
14 other manufacturer or customer not listed or identified in the preceding requests.

15 33. All documents covering the "SPARC" and "SPARClite" series of processors.

16 34. All documents concerning any product (including but not limited to digital cameras and
17 including but not limited to the following models of digital cameras: Canon (D30, D60, 10D, 20D),
18 Canon (1D, 1Ds Mark II), Canon Powershot (Sxxx, Axxx); Nikon D-SLRs (D2X, D2H, D100, D70),
19 Nikon Coolpix series and Sigma/Foveon (SD10, SD20)) made by Fujitsu or other manufacturer or
20 customer that has used or incorporated a Fujitsu ACCUSED DEVICE (including but not limited to the
21 "SPARC," "SPARClite" and other Fujitsu-related and Fujitsu-branded series of camera processors) or
22 similar device made by Fujitsu or other manufacturer or customer from 1999 to the present.
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2 Dated: February 9, 2007

SHORE CHAN BRAGALONE LLP

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4 By: 
5 Martin A. Pascual, Esq.
(admitted *pro hac vice*)

6 ATTORNEYS FOR PLAINTIFFS
7 Nanya Technology Corp. and
8 Nanya Technology Corp. U.S.A.
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EXHIBIT “B”

EXHIBIT B

SHORE WEST FREEMAN PC

Vance P. Freeman
vfreeman@shorewestfreeman.com

March 22, 2007

VIA EMAIL

Michael Murray, Esq.
 Christopher Chalsen, Esq.
 Milbank, Tweed, Hadley & McCloy, LLP
 1 Chase Manhattan Plaza
 New York, NY 10005

Re: *Nanya Technology Corp., et al. v. Fujitsu Limited, et al.*
 No. 06-CV-00025, in the U.S. District Court, District of Guam

Dear Mike:

Thanks for talking to us yesterday about Nanya's jurisdictional discovery and your clients' responses and objections. As we agreed yesterday, Plaintiffs will not request a ruling on Defendants' objections to Plaintiffs' jurisdictional discovery until Defendants have had the opportunity to produce the following specific categories of documents by the stipulated deadlines in response to Plaintiffs' Second Requests for Production:

IN RESPONSE TO REQUEST:	DEFENDANTS WILL PRODUCE:
Nos. 1, 14, & 32	Documents sufficient to identify all original equipment manufacturers ("OEMs") that have purchased an ACCUSED DEVICE since 1999.
Nos. 2, 6, 16, & 21	Documents sufficient to identify all products that have used or incorporated an ACCUSED DEVICE since 2000.
No. 3	All sales and purchase orders for ACCUSED DEVICES within the last six years, or summaries of such documents if the volume of such documents permits production without undue burden.
No. 4	All proposals to develop, manufacture, distribute, or otherwise produce an ACCUSED DEVICE since 1999, or summaries of such documents if the volume of such documents permits production without undue burden.
No. 5	All contracts to develop, manufacture, distribute, or otherwise produce an ACCUSED DEVICE since 1999, or summaries of such documents if the volume of such documents permits production without undue burden.
No. 7	Documents sufficient to identify all products using a biometric sensor made by Fujitsu or bearing a Fujitsu trademark.
No. 8	Documents sufficient to identify all products using a MEMS device made by Fujitsu or bearing a Fujitsu trademark.
No. 9	Documents sufficient to identify all contracts for the sale of a Fujitsu MCU, biometric sensor, or MEMS device.
No. 10	Documents sufficient to identify all customers that have purchased an MCU, biometric sensor, or MEMS device.

March 22, 2007

Page 2 of 3

No. 11	Documents sufficient to identify all design wins for an ACCUSED DEVICE in a blood glucose measuring device.
No. 12	Documents sufficient to identify all design wins for a Fujitsu display controller for use in an automobile.
No. 13	Documents sufficient to identify all design wins for Fujitsu FlexRay, "MOST," and "CAN" controllers or devices.
No. 17	Documents sufficient to identify all digital cameras that have used or incorporated an ACCUSED DEVICE.
No. 19	Documents sufficient to identify all sales of products containing or employing an ACCUSED DEVICE in Guam.
No. 20	Documents sufficient to identify all products containing or employing an ACCUSED DEVICE to the Kmart Corporation.
No. 22	All documents showing shipments, sales, or marketing of products made by or bearing the Fujitsu trademark or trade name to Guam.
No. 23	Documents sufficient to identify all sales of ACCUSED DEVICES to cell phone makers.
No. 24	Documents sufficient to identify all sales of ACCUSED DEVICES to digital video recorder makers.
No. 25	Documents sufficient to identify all sales of ACCUSED DEVICES to digital video camera makers.
No. 26	Documents sufficient to identify all sales of ACCUSED DEVICES to digital video disk makers.
No. 27	Documents sufficient to identify all sales of ACCUSED DEVICES to set top box makers.
No. 28	Documents sufficient to identify all sales of ACCUSED DEVICES to printer makers.
No. 29	Documents sufficient to identify all sales of ACCUSED DEVICES to network enabled device makers.
No. 30	Documents sufficient to identify all sales of ACCUSED DEVICES to makers of in-circuit emulators or development kits.
No. 31	Documents sufficient to identify all sales of ACCUSED DEVICES to digital camera makers.
No. 34	<p>All sales and purchase orders, design plans, and design wins for ACCUSED DEVICES in the following digital cameras since 1999, or summaries of such documents if the volume of such documents permits production without undue burden:</p> <ul style="list-style-type: none"> • Canon D30, D60, 10D, 20D, 1D, 1Ds Mark II, Powershot (Sxxx, Axxx); • Nikon D-SLRs (D2X, D2H, D100, D70) and Coolpix series; and • Sigma/Foveon (SD10, SD20).

In addition, Plaintiffs NTC and NTC USA and Defendants FMA and Fujitsu Limited also agree that (1) for all future discovery, each side will notify the other when it is withholding documents on relevancy grounds, and (2) September 13, 2006, as the date on which NTC and NTC USA

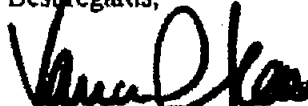
March 22, 2007

Page 3 of 3

filed their Original Complaint in Guam, will serve as the cut-off date for entries in all parties' privilege logs.

Please let me know by email or return letter if my understanding about our agreement is incorrect.

Best regards,

A handwritten signature in black ink, appearing to read "Vance P. Freeman", followed by a long horizontal line extending to the right.

Vance P. Freeman

cc: Daniel Benjamin (via email)
Rodney Jacob (via email)
Joseph Razzano (via email)
Judge John Unpingco (via email)

EXHIBIT “C”

EXHIBIT C

SHORECHAN BRAGALONE_{LLP}

Martin Pascual
325 N. St. Paul Street, Suite 4450
Dallas, Texas 75201
214-593-9118 Telephone
214-593-9111 Facsimile
mpascual@shorechan.com

April 9, 2007

VIA EMAIL

Michael Murray, Esq.
Christopher Chalsen, Esq.
Milbank, Tweed, Hadley & McCloy, LLP
1 Chase Manhattan Plaza
New York, NY 10005

Re: *Nanya Technology Corp., et al. v. Fujitsu Limited, et al.*
(No. 06-CV-00025, in the U.S. District Court, District of Guam)

Dear Counsel:

We write to address deficiencies in Defendants' production of documents in responses to Plaintiffs' Second Set of Jurisdictional Requests for Production to Defendants in the above-referenced case. As you are aware, the materials and information set forth in our discovery requests and outlined below are directly relevant to the jurisdictional issues currently pending before the Court. Although we have already attempted to discuss with you the need for this information based on the joint stipulation the parties filed, the documents Defendants have produced are not relevant to Plaintiffs' discovery requests. Due to the pending deadline for Plaintiffs' response to Defendants' jurisdictional challenge, we would like to resolve this as quickly as possible. Accordingly, please let us know by 3 p.m. (CST) Tuesday, April 10, 2007 whether you are amenable to conferring so that we can determine whether a resolution can be reached without court involvement.

Requests for Production

Defendants have not produced the following categories of relevant materials and information requested by Plaintiffs, including:

1. Documents identifying any product that incorporates any one or more specifically listed Fujitsu parts and documents identifying the entities involved in the design, supply, manufacture, sales, solicitation, or purchase of the identified Fujitsu parts. (See Requests for Production ("RFP") 1, 2, 4, 5, 6, 14, 16, 17, 21, 23-32, and 34).

SHORECHAN
BRAGALONE_{LLP}

Michael Murray
Christopher Chalsen
April 9, 2007
Page 2

These requests address whether Defendants place their products into the stream of commerce and whether these products are likely to be available in the forum site.

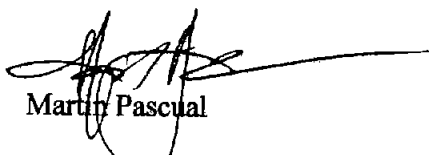
2. Documents covering the specifically listed Fujitsu parts, including any communications, sales, shipment, marketing, purchase, incorporation, or manufacture of those parts. (See RFPs 3, 12, 18-20, 22, and 33). These requests seek to identify and track the incorporation of specifically listed Fujitsu parts into end-products and the final destination of such end-products.

3. Documents showing any product using parts or devices made by Fujitsu or bearing a Fujitsu trademark. (See RFPs 7, 8, 10, and 11). These requests are narrowly tailored to discover evidence related to potentially infringing devices that may be available in Guam through the stream of commerce.

4. Documents showing design wins for any controllers or devices, whether made by Fujitsu or not that incorporate or use any Fujitsu parts or devices, including FlexRay, "MOST" or "CAN" controllers or devices. (See RFPs 12 and 13). These requests address the automotive applications of Fujitsu parts or devices.

Plaintiffs have intentionally presented these targeted and directed discovery requests to elicit information about the particular accused devices of Defendants, which have been publicized as designed into a host of consumer electronic and automotive applications. Plaintiffs believe that these requests are properly discoverable and have drafted requests that are precisely worded to target relevant information clearly subject to Defendants' control and possession. If we have overlooked any documents Defendants believe are directly responsive to the above-listed discovery requests, please identify such documents by bates-numbers. We hope to hear from you by tomorrow afternoon to discuss whether the parties can find a mutually agreeable solution that would obviate the need for court intervention.

Regards,



Martin Pascual

cc: Daniel Benjamin (via email)
Rodney Jacob (via email)
Joseph Razzano (via email)
Judge John Unpingco (via email)

EXHIBIT “D”

SHORECHAN BRAGALONE_{LLP}

Martin Pascual
Republic Center
325 North Saint Paul Street
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Dallas, Texas 75201
214-593-9118 Telephone
214-593-9111 Facsimile
mpascual@shorechan.com

April 13, 2007

VIA EMAIL

Michael Murray, Esq.
Christopher Chalsen, Esq.
Milbank, Tweed, Hadley & McCloy, LLP
1 Chase Manhattan Plaza
New York, NY 10005

Re: *Nanya Technology Corp., et al. v. Fujitsu Limited, et al.*
(No. 06-CV-00025, in the U.S. District Court, District of Guam).

Dear Counsel:

I write to follow up on our conversation yesterday and our letters of March 22, 2007 and April 9, 2007.

Nanya does not believe its jurisdictional discovery requests have been sufficiently satisfied. Nanya served discovery requests on December 14, 2006 and February 9, 2007 and has been waiting for over four months for documents. We continue to be willing to work with you in getting these documents. I hope you are willing to work with us in this regard. As you are aware, the pending May 15, 2007 deadline for Nanya's response to FMA's jurisdictional challenge requires an immediate unqualified response on your part. Therefore, as we discussed, please let us know by 6 p.m. (CST) Friday, April 13, 2007 when you will produce all of the requested documents.

Because you desire further clarification of our discovery requests, let me restate the categories that were set out in our December 14, 2006 and February 9, 2007 discovery requests and our March 22, 2007 and April 9, 2007 letters:

1. All documents identifying any product that incorporates any one or more of the Accused Devices (defined as both the "Accused Devices" and "Similar Devices" detailed in Plaintiffs' Second Set of Jurisdictional Requests for Production to FMA, served on February 9, 2007). These requests are narrowly tailored to discover evidence related to potentially infringing devices that may be available in Guam through the stream of commerce;

SHORECHAN
BRAGALONE_{LLP}

Michael Murray, Esq.
Christopher Chalsen, Esq.
Milbank, Tweed, Hadley & McCloy, LLP
April 13, 2007
Page 2

2. All documents identifying the entities involved in the design, supply, manufacture, sales, solicitation, or purchase of the Accused Devices. These categories address whether FMA places its products into the stream of commerce and whether these products are likely to be available in the forum site;
3. Documents regarding communications, sales, marketing, incorporation or integration of the Accused Devices into FMA's customers' or potential customers' products. These requests seek to identify and track the incorporation of the Accused Devices into end-products and the final destination of such end-products;
4. All documents showing design wins for any Accused Device including but not limited to FlexRay, "MOST" or "CAN" controllers or devices. These categories address the design and/or incorporation of the Accused Devices into networking, wireless, automotive, industrial, consumer, and security applications; and
6. Documents identifying all FMA customers from 1999 to 2007.

Also, as we discussed, please let us know by Tuesday, April 17, 2007 when you can make available for deposition a Rule 30(b)(6) corporate representative for FMA on the following topics:

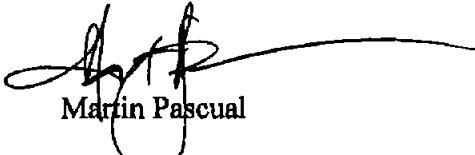
1. All design wins for the Accused Devices from 1999 to 2007;
2. All products that incorporate the Accused Devices from 1999 to 2007;
3. All customers or purchasers of the Accused Devices from 1999 to 2007;
4. The sales cycle for the Accused Devices, which includes how FMA markets the Accused Devices, how FMA works with its customers so that the Accused Devices can be incorporated or integrated into FMA's customers' products;
5. Market data and sales' projections for the Accused Devices; and
6. All qualifications of the Accused Devices.

SHORECHAN
BRAGALONE_{LLP}

Michael Murray, Esq.
Christopher Chalsen, Esq.
Milbank, Tweed, Hadley & McCloy, LLP
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We look forward to hearing from you by the end of the day.

Regards,



Martin Pascual

cc: Daniel Benjamin (via email)
Rodney Jacob (via email)
Joseph Razzano (via email)
Judge John Unpingco (via email)